

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA**

William Lawton,	)	
	)	
Plaintiff,	)	Civil Action No. 4:11-3204-RMG
	)	
vs.	)	
	)	
Carolyn D. Colvin, Commissioner of Social Security,	)	
	)	
Defendant.	)	<b>ORDER</b>
	)	
	)	
	)	

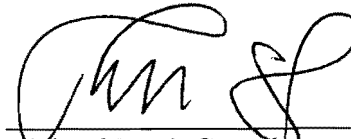
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This matter comes before the Court on Plaintiff's motion for approval of attorney's fees under 42 U.S.C. § 406(b). (Dkt. No. 30). Plaintiff has informed the Court that he was ultimately awarded \$108,170.60 in back Social Security disability benefits, which would entitle his counsel to a 25% contingency fee of \$27,042.65 under the attorney fee agreement. (Dkt. No. 30-2). Plaintiff's counsel have requested a total fee award for court related representation of \$21,042.65 for 29.1 hours of attorney time and indicated that they sought and obtained an award of \$6,000 for legal representation of Plaintiff in administrative proceedings. The combined amount of the fee requested for court representation and the award for administrative representation totals the 25% contingency fee provided in the Plaintiff's fee agreement with counsel. Counsel for Plaintiff has further informed the Court that this award is subject to offset from a previous award under the Equal Access to Justice Act ("EAJA") of \$5,000.00. (Dkt. No. 30-1 at 5-6). The Defendant has advised the Court that she does not oppose the approval of Plaintiff's attorney fees as requested so long as Plaintiff's counsel refunds to his client upon receipt of the § 406(b) award

the previous award under EAJA. (Dkt. No. 33).

The Court has reviewed the Plaintiff's motion in light of the standards set forth in *Grisbrecht v. Barnhart*, 535 U.S. 789, 808 (2002). The Court finds that pursuant to the *Grisbrecht* standards the proposed fee is reasonable and grants the Plaintiff's motion to approve the fee in the amount of \$21,042.65. Since Plaintiff is entitled to an offset for previously awarded EAJA fees, Plaintiff's counsel is directed that upon receipt of the fee award approved herein to refund to Plaintiff \$5,000.00.

AND IT IS SO ORDERED.

  
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Richard Mark Gergel  
United States District Judge

February 12, 2015  
Charleston, South Carolina